

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FREDERICK H. SHULL, JR.,

Case No.: 2:18-cv-01781-APG-PAL

Plaintiff

Order Denying Pending Motions

V.

[ECF Nos. 8, 20, 24, 25, 33, 39, 40, 44, 47, 48, 50, 53, 54, 55, 56]

THE UNIVERSITY OF QUEENSLAND,
THE OCHSNER MEDICAL GROUP,
GEOFF McCOLL, LEONARDO SEOANE,
THE U.S. DEPARTMENT OF EDUCATION
via THE SECRETARY OF THE U.S.
DEPARTMENT OF EDUCATION,

Defendants

11 I granted the motion to dismiss filed and joined by defendants Ochsner Clinic
12 Foundation, The University of Queensland, Geoff McColl, and Leonardo Seoane. ECF No. 68.
13 Plaintiff Frederick H. Shull, Jr. has filed numerous motions in this case, most of which are now
14 rendered moot because of my ruling that this court lacks personal jurisdiction over those
15 defendants.

I therefore deny the following motions as moot: ECF Nos. 20, 24, 25, 39, 40, 44, 47, 48,
50, 53, 54, 55.

18 I deny the defendants' motion to strike (ECF No. 56) as moot.

19 Shull's motion to amend (ECF No. 33) does not attach a proposed amended complaint (in
20 violation of Local Rule 15-1(a)), and it does not explain how he would amend the complaint to
21 make it viable. Regardless, amendment would be futile because this court lacks personal
22 jurisdiction over defendants Ochsner Clinic Foundation, The University of Queensland, Geoff
23 McColl, and Leonardo Seoane. Therefore, the motion to amend (ECF No. 33) is denied.

Finally, Shull has filed a “Petition for Writ of Mandate Upon the U.S. Department of Education.” ECF No. 8. It is unclear what Shull seeks to accomplish by that Petition. He requests that I “decide all relevant questions law and interpret statutory provisions concerning the U.S. Depart of Education’s actions and arrangements with” the other defendants, and that I rule in his favor that the defendants’ contractual practices were “unconstitutionally discriminatory on the basis of national origin.” ECF No. 8 at 6. Shull’s Complaint (ECF No. 15) contains his claims against the defendants, including against the United States Department of Education. Thus, there appears to be no basis for a Petition for Writ of Mandate (ECF No. 8). I deny the Petition without prejudice.

DATED this 9th day of January, 2019.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE